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December 2, 2022

Via ECF Filing

Magistrate Judge James M. Wicks
United States District Court
Eastern District of New York
Long Island Court House
100 Federal Plaza
Central Islip, New York 11722

Re: Parker v. IVF
Docket No.: 19-cv-06945(JS)(JMW)
Our File No.: 28-24035

Dear Judge Wicks:

In response to the Court Order directing that the parties file a Joint Status Letter on or before December 2, 2022, please be advised that the Mediation has not yet been scheduled. On November 2, 2022 I wrote to the Mediator requesting available dates to conduct the Mediation; however, the Mediator, Richard P. Byrne, Esq. advised that he was reluctant to proceed with Mediation with a *pro se plaintiff*.

I have advised plaintiff that the defendants have a no pay position and that the only thing we had hoped to accomplish at Mediation was to be able to convince him to discontinue the action without costs. Plaintiff has made clear that he is not inclined to discontinue this matter. Accordingly, we do not believe that Mediation will serve any purpose.

Plaintiff has renewed his request that we reproduce the discovery exchanged by the parties that's not available on the docket since he has been unsuccessful in securing it from his former attorney. Plaintiff has requested that the file be produced on a USB thumb drive or via a file sharing link. I have resisted this request because there are numerous lengthy videos that we would be required to reproduce, together with the voluminous paper discovery. I have advised that we would make the file available at my

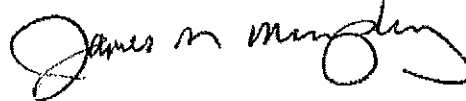
Parker v. IVF
December 2, 2022
Page Two

office for plaintiff and prospective counsel to review. Alternatively, I would request that the court order that plaintiff's former attorney promptly produce his file.

Given this dispute, plaintiff requests a conference to resolve this issue so that plaintiff can move forward with attempting to retain counsel for trial.

Very truly yours,

MONTFORT, HEALY, McGUIRE & SALLEY LLP

A handwritten signature in black ink, appearing to read "James M. Murphy". The signature is fluid and cursive, with the first name "James" being the most prominent.

James M. Murphy

JMM/dm

cc: John Parker – joshuaprince913@gmail.com
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